

Draft
6th Update Issue Matrix

ISSUE	SECTION(S)	DESCRIPTION
MEASUREMENT		
1.	113.0103 113.0231	<u>Determining Proposed Grade</u> Delete 113.0231 due to inconsistency with measurement of height under 113.0270(a)(4). Remove reference to deleted section under 113.0103.
2.	113.0103 113.0234	<u>Floor Area Ratio and Gross Floor Area</u> <ul style="list-style-type: none"> • Add note to definition of floor area ratio to refer reader to calculation of gross floor area and clarify in Section 113.0234 that gross floor area is used in the calculation of floor area ratio. • Treat basements and underground parking structures the same. • Eliminate loophole for residential calculation related to at grade space with more than 5 percent grade. • Simplify phantom floor regulation to consider floors at 15 foot increments and standardize exemption at 5 feet. Revise Diagrams
3.	113.0103 113.0246 113.0252	<u>Setbacks and Property Lines for Lots that Abut an Alley</u> Clarify that for lots that abut an alley, a street yard is not created along the alley. A front property line bordering an alley shall apply a setback equivalent to a rear yard in the underlying base zone, and a side yard abutting an alley shall apply an interior side yard setback. Replace current reference to public-right-of-way with the term street in the definition of street yard.
4.	113.0237	<u>Determining a Legal Lot</u> Amendments to clarify legal lot determinations and when a Certificate of Compliance may be requested.
5.	113.0243	<u>Measuring Lot Width</u> Clarify how lot width is measured for irregularly shaped and consolidated residential lots in rules for calculation and measurement section.
6.	113.0249	<u>Established Setbacks</u> Clarify that the base zone setbacks shall apply unless the established setback was created to preserve a view corridor.
7.	113.0252	<u>Measuring Setbacks</u> Clarify that the setback measurement is taken to the edge of frame line-not to the edge of finished siding material.
8.	113.0270	<u>Measuring Structure Height</u> Reorganize section to clarify two part measurement (plumb line and overall height) and address special circumstances (extreme topography, underground structures including subterranean garages, pools, Prop D, multiple structures). Revise Diagrams

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ISSUE	SECTION(S)	DESCRIPTION
9.	131.0215 Table 131-02A 131.0315 Table 131-03A 131.0415 Table 131-04A 131.0515 Table 131-05A 131.0615 Table 131-06A	<u>Zone Applicability Tables</u> Incorporate language to reference the adoption of the official zoning map by resolution. Transfer the old municipal code conversion tables from the LDC to a separate public reference document available for zone history research.
10.	131.0331 Table 131-03C	<u>Setback Requirement in Agricultural Zones</u> Add footnote to Table 131-03C to clarify that the 20-foot setback may be reduced where a lot has less than the minimum lot width.
11.	131.0343 131.0444 131.0461	<u>Setback/Angled Plane Encroachments</u> Simplify the allowable setback/angled plane encroachments and reorganize based on location (street yard versus interior yard) and potential for impacts. Identify a general acceptable size envelope within which any encroachment may be approved in all residential zones. For encroachments with a potential for noise or visual impact, specify design restrictions that would minimize impacts. Add reference note under Agricultural Zones to allow encroachments in AR zones.
12.	131.0431 Table 131-04D 131.0443	<u>Modify Variable Setback Requirement</u> Modify variable setback requirement in order to make setbacks easier to apply and more predictable for lots greater than 50 feet. Adjust setback requirement to a fixed percentage of the lot width or depth. (Setbacks a + b = total fixed percentage. Setback “a” or “b” can not be less than 4 feet). Continue to allow lots less than 40 feet to have a minimum 3 foot setback.
13.	131.0448	<u>Accessory Structures</u> Clarify that structures containing separately regulated uses are not considered accessory structures and that plumbing/ electrical is permitted in accessory structures in all residential zones.
14.	131.0465	<u>Maximum Diagonal Plan Dimension</u> Delete this regulation that currently applies to RS-1-7 only.
15.	143.0410(b)	<u>Planned Development Permits and Density Calculation</u> Clarify that density shall not exceed that set forth by the applicable zone and the applicable land use plan except as permitted by 143.0410(a)(3)(D).

PERMIT PROCESS

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16.	112.0504	<u>Grounds for Appeal of Process Two Decisions</u> Create grounds for appeal for Process Two as suggested by Planning Commission.
17.	126.0402 131.0466	<u>Reasonable Accommodations</u> Eliminate the process two permit requirements that are inconsistent with State law. Allow all requests to be processed through Process One to maintain confidentiality of the disability and eliminate appeal loops to Planning Commission where they would not have any authority to exercise discretion in their action.
18.	126.0502(b)(4), (d)(6)	<u>Site Development Permit Applicability</u> Add the trigger for a Process 4 SDP for sustainable housing projects. Remove or clarify purpose of requirement for SDP for multiple unit residential development that exceeds number of dwelling units on consolidated lots.
19.	131.0222 131.0322 131.0422 131.0448 141.0306	<u>Guest Quarters</u> Guest Quarters currently require an NUP. Instead the use should be “limited” subject to the requirements listed in the separately regulated use section.
20.	126.0203 131.0522 131.0622 141.0801	<u>Automobile Service Stations</u> Change the permit requirement from CUP (Process 3) NUP (Process 2) in Community Commercial zones (CC) and the Commercial Regional Zone (CR-1-1). Reduce the permit requirement CUP (Process 3) to Limited Use (Process One) in the Commercial Regional zone (CR-2-1) and the industrial zones where the uses comply with the separately regulated use regulations of Section 141.0801. The separately regulated regulations and permit processes of Section 141.0502 for alcoholic beverage outlets would continue to apply.
21.	141.0302	<u>Companion Units</u> Remove requirement that lot size must be double that of the underlying base zone. This would allow more lots to construct companion units and provide much needed affordable housing alternatives.
22.	141.0310	<u>Housing for Senior Citizens</u> Currently senior housing requires a CUP when a parking deviation is requested. Reduce permit requirement from CUP to a limited use and clarify that persons with disabilities are eligible for this type of housing.

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23.	141.0607	<u>Eating & Drinking Establishments Abutting Residentially Zoned Property</u> Drive-in and drive through restaurants, live entertainment, and the sale of intoxicating beverages other than beer and wine are not permitted in the CN Zone for projects approved ministerially. However, the limited use section of the separately regulated uses for drinking & eating establishments abutting residentially zoned property did not carry over the same restriction in the CN zones. This would apply the same restriction.
24.	112.0103	<u>Consolidation of Processing</u> Allow consolidated City projects that require City Council as a decision maker for any of the required permits to be heard by the City council without recommendation from any other decision maker. No changes to any required permit findings or noticing. The change would save the City processing time and costs.

LANDSCAPE

25.	142.0402 Table 142-04A	<u>Landscape Regulations Applicability Table.</u> Reduce the number of projects that require landscape review (ie instead of applying to duplexes trigger review for projects with 3 or more units).
26.	142.0403	<u>Plant Material Requirements</u> Clarify that structural soil may be used as an alternative to providing the 40 square foot root zone where tree root barriers are required.
27.	142.0404 Table 142-04C	<u>Landscaping in Multi Dwelling Unit Developments.</u> Provide flexibility for project design on narrow lots by modifying the requirement for one tree on each side and in the rear area of each structure. Retain the existing tree requirement (min 60 plant points.)
28.	142.0406	<u>Vehicular Use Area Landscape Requirements</u> Clarify that the planting buffer for vehicular use areas is required on the subject property.
29.	142.0409	<u>Street Tree and Public Right of Way Requirements</u> Limit where palms may be used to satisfy the requirement. Increase the distance between sewer lines and street trees to 10 feet.

PARKING

30.	142.0525 Table 142-05C Footnote 1	<u>Basic Parking Requirement</u> Clarify that the basic parking requirement applies to development that does not qualify for a reduced parking requirement (ie transit parking, or very low income parking ratio) or require an increased parking requirement (ie parking impact area ratio). The basic parking requirement also applies in cases where development qualifies for the transit/very low income ratio (reduced) <u>and</u> the parking impact ratio (increased), since the two cancel each other out.
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31.	142.0530(b) Table 142-05E Footnote 3	<u>Eating and Drinking Establishments in Mixed Use Centers</u> Modify the parking requirement that applies to retail centers with eating and drinking establishments to clarify that the eating and drinking establishment parking requirement would be triggered where that use exceeds a certain percentage (ie 30%) of the total square footage of a commercial/retail sales development. The existing code suggests that the lower retail parking ratio would only be used where eating and drinking establishments do not exceed 10% of the retail center square footage, which does not adequately account for shared parking within the center.
32.	New 142.0556	<u>Automobile Lifts</u> Add new parking requirement to allow mechanical lifts for vertical storage of automobiles in areas where tandem parking is already permitted. Create design criteria to make sure they are completely enclosed.

SIGNS

33.	141.1104(a)(2) 142.1210(b)(5)(F)	<u>Community Entry Signs in Public Right of Way</u> Address contradiction between community entry signs and community identification signs. Clarify where community entry signs are permitted in the right of way and address relationship to “community identification signs guidelines”.
34.	141.1105 142.1260	<u>Comprehensive Sign Plans</u> Remove requirement for Sign Reallocation Permit. Instead allow requests for comprehensive sign plans through a Process Three Planned Development Permit. This would be a lower process level than the process 4 currently required for deviations with a PDP, but higher than the Process 2 Sign Reallocation Permit which only addresses allocation of sign content, but does not address setbacks or other location and design issues.
35.	142.1255	<u>Temporary Off Premises Subdivision Directional Signs</u> The LDC only allows this type of sign for commercial and industrial zones, which is not where this type of sign would be applied. Delete provision in code and update the LDM reference materials.

Compliance with State Law

36.	68.0205	<u>Helicopter Landing Facilities</u> Helicopter landing facilities are a separately regulated use (Section 141.0610). Per the direction of Cal Trans and the City Attorney, section 68.0205 shall be deleted since the City does not have issuing authority for heliport licenses. The City can continue to require and issue CUPs for the use, but may not require an additional license.
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37.	129.02XX? 145.0303? Inspection procedures?	<u>Pool Safety</u> Revise regulations to reflect that swimming pool suction outlets shall be upgraded with anti-entrapment covers to meet the new swimming pool legislation effective January 1, 2007.
38.	142.0805 Table 142-08A 142.0810 142.0820 142.0830	<u>Refuse/Recycling Storage</u> Add a trigger to review for compliance with the CA Solid Waste Reuse/Recycling Act. Clarify the regulations apply to new residential development of 2+ units, all new non-residential development, and an addition to existing multi family or non-residential development where the gross floor area would be increased 30 percent or more.

MINOR CORRECTIONS

Incorrect Terms/Spelling Errors

39.	125.0220	<u>Certificate of Compliance</u> Add word “in” in the sentence “An applicant shall apply for a Certificate of Compliance <u>in</u> accordance with Section 112.0102.”
40.	143.0210 Table 143-02A	<u>Table: Applicability of Historic Resource Regulations</u> Under row #3 (multiple dwelling units), column 3 (important archaeological sites) change reference from “NDP/Process Four” to “SDP/Process Four”.
41.	143.0915	<u>Applicability of Affordable Expedite Regulations</u> Strike residential in the sentence “These regulations apply to the following types of residential development.” The section applies to new residential, commercial, or industrial development as stated in 143.0915(f).

Formatting Error

42.	Table 142-10B	<u>Off-Street Loading Spaces</u> Reformat Table so that the boxes are correctly divided in column 1. The existing Table has incorrectly merged several of the boxes, which makes the table difficult to read.
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Incorrect Numerical References

43.	142.1270(b)(1)(E), (b)(2)(E), (d)	<u>Signs in Multi Family Zones</u> Erroneous references to RM-4-12 should read RM-5-12. (There is no such zone as RM-4-12.)
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